



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ELECTRONICALLY FILED

FILED:

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
ATTORNEY GENERAL

FILED: 6/24/08

ENDORSED
ORDER

All defendants who have been served -- including, we understand, Messrs. Cunningham and Hillman -- must respond to the complaint by no later than August 7, 2008.

JUNE DUFFY

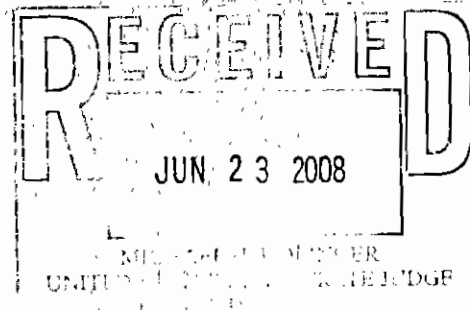
6/23/08

BUREAU CHIEF FOR LITIGATION

June 23, 2008

BY FACSIMILE

Hon. Michael H. Dolinger
United States Magistrate Judge
Southern District of New York
500 Pearl Street, Room 1670
New York, NY 10007



Re: Smith v. Maypes-Rhynders, 07 CV 11241 (PAC(MHD))

Dear Judge Dolinger:

This office has now received a request for representation from defendant Cunningham, and anticipates that it will be asked to represent the defendants who are eventually served in this matter. This letter is written to request that the time for defendant Cunningham to respond to the complaint be extended nunc pro tunc from June 3, 2008 to August 7, 2008. It is further requested that no defendant eventually served be required to respond before that date.¹

This request is made on the grounds that it would be more efficient for all State defendants to respond to the complaint together, and time is needed to allow all State defendants eventually served the opportunity to request representation and for this office to properly prepare a response on their behalf.

There have been no prior requests for extensions of time. We thank the Court for its consideration.

Respectfully,

Daniel Schulze
Assistant Attorney General
(212) 416-6557

cc. Julio Isley Smith (by mail)

¹The docket states that defendant Hillman has been served, but this office has not yet received a request for representation from him. On information and belief, the other eight named defendants have not been served.